

**TESTIMONY OF ROBERT MAGNAN, DIRECTOR
OF THE FORT PECK TRIBES FISH AND WILDLIFE DEPARTMENT
TO
MONTANA LEGISLATURE'S
AGRICULTURAL COMMITTEE**

Mr. Chairman and Members of the Committee my name is Robert Magnan and I'm an enrolled member of the Fort Peck Assiniboiné and Sioux Tribes. I'm also the Director of the Fort Peck Tribes Fish and Wildlife Department. I'm here today to speak against Senate Bill 143 which is to Revise Bison Management.

This proposed bill does nothing for the management of bison, but to kill them off whenever they enter the State of Montana's public or private lands. The bill states that management of Wild Buffalo is for disease control. I know this to be not totally true because the dangerous disease the sponsor is referring to is Brucellosis. If this foreign disease is all that dangerous then how come the Montana Department Livestock, Montana Fish, Wildlife and Parks or the Montana Department of Environmental Quality attempt to eliminate all wildlife that comes from a herd that could be infected with Brucellosis and enters the state of Montana. Elk that come from the Greater Yellowstone area also have been known to transmit this disease and they are the only true FREE ROAMING species that could infect the states livestock industry, neighboring states and possibly Canada.

The Fort Peck Tribes are living proof that Senate bill 212 of the 2011 Legislature does work. On March 19, 2012 the tribes received 61 genetically pure Yellowstone Buffalo that were Brucellosis-free, after they had worked out an Memorandum of Understanding with the State of Montana. The Tribes do have a management plan, have built a wildlife friendly fence for them, worked out a agreement with the U. S. Department of Agriculture (APHIS) to do yearly testing to ensure these buffalo do not have Brucellosis. Region 6 of the Montana Fish, Wildlife works with the Tribes on quarterly quarantine buffalo reports on escapes, deaths, births and condition of the buffalo. During this past year the buffalo have never tore down their fence & escaped, cattle have never been effected with brucellosis & no trespassing complaints from local landowners.

The Tribes in the State of Montana have been fighting anti bison bills for several years. In the last three Legislative sessions alone the Fort Peck Tribes have asked the sponsors of these anti-bison bills to work with the Tribes in drafting a legislation that could work for all citizens of Montana, which includes the Indian Tribes of the State. In my past testimonies with the Senate and House Committees I have reminded them that State law recognizes that there is a unique Government to Government relationship between the State Government and Tribal Governments. Although not one sponsor of these anti- bison bills has ever made an attempt ask Tribes their views on these proposed bills. A majority of these bills are from legislators that reside in district that have reservations in or next to them. A simple phone call would be a good start.

In the last year alone the State of Montana and the Tribes have made a very important steps in proving that reintroduction of Brusellosis-Free Yellowstone Buffalo onto Public and Tribal lands can work.